

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

WESTPORT FUEL SYSTEMS CANADA,
INC.,

Plaintiff,

v.

NISSAN NORTH AMERICA, INC.

Defendant.

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Case No. 2:21-cv-00455-JRG-RSP

ORDER

Before the Court plaintiff Westport Fuel Systems Canada, Inc. and defendant Nissan North America, Inc. provide notice of a Stipulation and seek an Order with respect to the same. More specifically, the Stipulation provides that Nissan's motion to dismiss, Dkt. No. 30, is (1) moot to the extent it challenges the sufficiency of the pleadings in light of Westport's First Amended Complaint, Dkt. No. 107, and (2) ripe to the extent it challenges venue without the need of refiling the motion or the briefings because the First Amended Complaint does not alter Westport's original pleadings with respect to venue.

In light of the Stipulation, Nissan's motion to dismiss, Dkt No. 30, is declared moot to the extent it challenges the sufficiency of the pleadings and ripe to the extent it challenges venue.

SIGNED this 17th day of August, 2022.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE